

9.9.2021 Region 7 Dicamba Discussion

Open Discussion with states

- Iowa – Gretchen Paluch
 - Really appreciated phone call with other states. Information hasn't changed since last week but wanted to add more detail on incidents. Listing of number of complaints investigated since 2017 and will send in email. Did not provide any information on counties in Iowa relevant to bulletins, so have been generating those listings – currently have 30 incidents in ESA counties. Will be included in the county listing that will send. Mostly in N central and NW section of Iowa, associated with weather patterns and trends. Most incidents, we're still filling in application dates but most were in month of June.
 - Justin – If we look across Iowa, bad draught with stable atmosphere. Multiple days with inversion in morning and afternoon. Days with visible fog and dew found on crops. Almost every day there were inversions present, temps 85-upper 90s on a good portion of days. All factors that go into good applications were few and far between. Stable air pattern did not break until mid July.
- Nebraska -
 - More dicamba calls since last national call, but no real changes. These calls are mostly after they have tried to work with neighbor and hasn't worked out. We take them as complaints, not reports. Some areas are putting in reports where trees have lost leaves. Had problems with FOIA requests and lawsuits. Northern half of Iowa that suffered draughts which is similar to NE of our state. Covers beltway there and that's where our complaints have come from. Evapotranspiration was discussed to determine health of plant in school, which creates thermal rise in the field. We've seen this effect with aerial applications over soybean fields. It's something I've thought about as a cause and effect relationship. At least 75% attributed damage to volatility, but we don't have any data to prove that. I wonder if people were out on hot days (which they were in 95-98 degrees), who's to say that isn't wafted not atmosphere with thermal rise. The calls most recently have been unpleasant. Physical harm threatened against people, especially when have to tell people that there's no way to prove it. Farmers threatening physical harm and retribution against applications, neighbors, and even family members. Farmers have reported having no friends left because he isn't doing DT and everyone else is applying dicamba.
- Kansas Kelly – 62 total cases, several in June and a lot in July. Even in 1st of September, we had another report come in. There may be additional factors for why they're coming in so late, but that's something we need to figure out. Very generic reports – unclear if the damage is current or from previous times or applications
- Missouri - Dawn
 - 6th year dealing with dicamba. In the 1st year it was a direct pattern, but now it's showing as volatility. It's very difficult to enforce a label that isn't enforceable when volatility isn't a label violation. I don't know what it means moving forward but puts SRAs in a difficult position. Farmers and folks have given up on us. We couldn't keep up with the workload and farmers gave up and said what's the point. People are very concerned

about the environment they are living in – their kids, elders, pets, health. This is a product issue and not necessarily an applicator issue. We continue to encourage a marker / tracer in the products to help states have enforcement actions. The cut off dates – we have gotten feedback that people are not happy about the cotton/soybean difference in cut off dates. Since dicamba is still being applied, it continues to cause issues.

- EPA: Have your offices made plans around the 2022 season or have you seen trends around sales and plans? What do you think is in store for 2022? Will you do a 24a? Do you see anything from dept or industry?
- Gretchen – Not aware of any dicamba specific rulemaking plans. That's a big lift for the state of Iowa. We have relied on federal assessments and not knowing what that's going to be is very challenging. I would put the question back to the federal side. Is the label going to remain intact?
- EPA: That's the question. These are check ups and we really appreciate hearing from you guys. It's too soon to know, but we do need to know what the consequences of this current label is. We have an open dialog with our senior management and are sincerely looking at our options
- Gretchen – we are in the program and not at the political level. We appreciate that
- Nebraska – I haven't talked to anyone in the industry. I don't have the time to do that because I am still in the complaint intake mode. I've been told it is not my job to talk to industry. There is no interest in further regulation. We don't have the capacity either political or science based to make those suggestions. No interest in 24a or 24c. Political leadership would rather let the regulatory agency take the brunt of it. They don't want to upset any potential voters.
- EPA: On a ground percentage basis, how much of the beans are DT
- Nebraska – no oversight for planting and growing, so no idea. Early estimates from 1st growing season at University of Nebraska – 10-15% were DT soybeans, 2018 – 40-50% DT, in 2019, after enlist – 2020 – 65% dicamba, 25% enlist, but all of this is based on people filing complaints. This year it seems like there has been some consolidation of the genetic traits. East of Highway 81 = 50% soybean acres dicamba, west of 81 is either enlist or conventional soybean. 90% of our complaints from east of highway 81, which wasn't the case in prior years and would likely bear out if I have the chance to supply county maps to EPA.
- EPA: IF there is any data you would be comfortable sharing, we would certainly be interested in that. Please forward anything you have – incident numbers, county analysis, etc – to Meg (hathaway.margaret@epa.gov) or Lindsay (roe.lindsay@epa.gov)
- Kansas – I don't know that I know how many acres of soybeans are present in Kansas or the amount of damage. We don't track damage in acres currently and have discussed changing that, but at this time, we don't have any helpful information
- EPA: After talking at the big meeting and some regional specific calls, my perspective is that the damage and the extend of impact of acres is bigger than its ever been, but the number of incidents is small. Where are these individuals who are impacted by off-field movement going – private settlement, tort situation – where do you think they're going if not through regulatory channels?

- Nebraska – Multiple things going on. Over 5 years, been evolution of understanding of what is dicamba damage – lot of education for young farmers (they were calling and getting inspectors out there). Most growers understand what they're going to see if they plant nonDT beans. After that, it became a farm management business decision – go with nonDT and get damage or plant DT soybeans defensively. Never heard from them again. Others who didn't/couldn't (seed agreements) plant DT beans continued with damage. Things started to shift to other production areas compared to 2017 because farmers with rotation are seeing damage for the first time. 2019 dynamics are different. Glufosinate and 24D are viable options for herbicide resistant weeds. There's a lot of social fabric dynamics going on – not always economic. Could be family, neighbor, or business relationship decisions. One factor is what is the product going to look like with labeling and registration and no one knows.
- Gretchen – Another comment I have heard is about trust. A lot of farmers don't trust that reporting does anything. Farmers don't want to report to the registrant – profane responses to those questions. Trust has been lost in certain places.
- Dawn – for Missouri, I think they lost hope in the department to be able to enforce this label properly. We were late due to workload to get people out in the past. People have decided to do other things than just filing reports and taking that to their insurance company. But that's not working with dicamba and I don't expect our number will go up as long as this chemical is out there.
- EPA: We are trying to take steps to hold registrants responsible as well while we are talking to all these groups. This week we sent out 6a2 letters to requesting additional data and reminding the registrants of their data responsibilities
- Jamie: In many places, the numbers of complaints are declining for different reasons, what if anything, would be other metrics that OPP could look at to gauge the success or changes needed for labelling.
- EPA: We heard about a nonreporting survey – Did you have an incident, did you report, why not? It's hard to capture negative reporting trend and felt that that survey was very intriguing.
- Gretchen: In Iowa, the count went up
- Nebraska and Kansas also increased in cases
- Shawn Hackett – In NE Nebraska working a complaint. In that area, it seemed like the DT beans vs enlist were 75/25 split. Only one grower was growing traditional roundup ready soybeans and most people sad he was just ignoring his weed problems. Several people with Enlist beans, by 20th of June were showing symptoms irrelevant of whether people near them sprayed. One guy sprayed water on his enlist beans through July and was able to grow them through the damage
- EPA: Does anyone have indication of where nonDT yields may be this year? One registrant said after 2017 that as an auxin it might boost yields
- Nebraska – don't know about this year but U of N with crop agronomist has conducted extensive work on microdosing dicamba on soybean. Data is published in WSSA journal. I think that's irresponsible complaint on part of registrant. Research shows that at best they can't verify yield increase, and at worst it's a decrease of 5-15% yield.
- Gretchen – look at draught plus microdosing?

- Nebraska – Don't think he studied that
- Gretchen – I'm interested to know that since we had draughts this year.
- The gorilla in the closet is that cancellation of OTT dicamba would magnify our problems because DT seed would be in the field and would be desperate and use any dicamba product they could find. This is a no-win situation. I don't know what the fix is, but I know cancellation isn't the answer, unless you know of a way to get genetics out of the crop.
- Shawn: What's the chances of seeing the older generic dicamba being RUPs? That would even out record keeping.
- EPA: That's a consideration that OPP is looking into.